



United States District Court
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

PLAINTIFF

v.

GABRIEL GONZALEZ
DEFENDANT, PRO SE

CASE NUMBER
CR-04-1189(A)-CAG

Motion for Disclosure

GABRIEL GONZALEZ asks this honorable court to order the Federal Bureau of Prisons ("BOP") and/or the Center for Disease Control and Prevention ("CDC") to disclose to him the purpose(s), focus, method(s), scope and results of any and all research studies conducted by the CDC at FCI Forrest City ("FCI-FC") into the Covid-19 pandemic at the prison.

GONZALEZ is an inmate incarcerated at the Low Component of FCI-FC. On or about April, 2020, the CDC arrived at FCI-FC for the purpose of studying the transmission of the Covid-19 virus among the inmate population. As part of this study, all inmates at FCI-FC were intended to be tested for Covid-19 infection, with inmates who tested positive to be housed and isolated in "positive-only" housing units. On or about April 29, 2020, inmates received a memorandum from complex warden DeWayne Hendrix informing them that participation in the study (by means of being tested for infection) was "strictly voluntary". However inmates were verbally informed later that

those who chose to opt out of testing would be placed in the "positive-only" housing units. As a result, putatively Covid-19 negative inmates who opted out of a voluntary test would be placed in housing units with inmates who had tested positive for infection.

Once so isolated, Covid-19 positive inmates were monitored by FCI-FC medical staff, under the direction of the CDC, through daily temperature checks only. In addition, inmates in certain other housing units were given daily blood pressure and oxygen rate screenings; inmates in other units did not receive these daily checks.

Given the discrepancy between types of medical treatment and screenings conducted in certain housing units, and given that ~~Defendant~~ Gonzalez was coerced by prison staff into participating in a voluntary study, Gonzalez believes access to the CDC study, including purpose(s), focus, method(s), scope, and results therein, is essential in the interests of his own health and in continuing this litigation. To be clear, the CDC is not at FCI-FC to help contain the Covid-19 virus, but rather to conduct research on the spread and duration of the virus using prisoners as test subjects.

Gonzalez prays this court will order the BOP and/or the CDC to disclose the purpose(s), focus, method(s), scope, and results of its Covid-19 viral study project conducted on inmates of FCI-FC, WHICH INCLUDES PRODUCTION OF SUCH DOCUMENTS WHICH OUTLINE THE PURPOSE OF THIS STUDY.

Verification

I have read the foregoing Motion for Disclosure and hereby verify that the matters alleged herein are true, except as to matters alleged on information and belief, and as to those I believe them to be true and correct. Executed at Forrest City, Arkansas this 9th day of June, 2020,



GABRIEL GONZALEZ,
DEFENDANT, PRO SE

Certificate of Service

I certify under penalty of perjury that the foregoing Motion for Disclosure was placed in the prison's internal mail system, postage pre-paid, for service upon this court via U.S. Mail on this 9th day of June 2020 to 312 N. SPRING STREET LOS ANGELES, CALIFORNIA 90012.

Gonzalez asks this court's clerk to serve all other interested parties via electronic notification and to provide him with a stamped and filed copy of this motion.



GABRIEL GONZALEZ
DEFENDANT, PRO SE

CONSENT FOR SARS-CoV-2 TESTING

The U.S. Centers for Disease Control and Prevention (CDC) is providing BOP with technical assistance for a BOP project intended to understand more about COVID-19 transmission and the protective behaviors and practices taken within correctional and detention facilities. You are invited to participate voluntarily in this project regarding COVID-19 transmission. Participation should take no more than 15 minutes of your time.

This project has two parts. First, we invite you to respond to a brief questionnaire including general information about yourself. The questionnaire should take no more than 10 minutes of your time.

Second, we will ask to conduct a nasopharyngeal swab test for SARS-CoV-2, the virus that causes COVID-19 illness. The test should take no more than 5 minutes of your time to complete. Risks of the procedure include mild discomfort, and possibly nose bleeding or dizziness. The results of the nasopharyngeal swab will be shared with BOP medical staff within 3 to 5 days. Test results will be shared back with you by appropriate BOP staff.

Participation in this project is voluntary. Testing results, demographic, and health information will be sent to the Arkansas Department of Health.

For any questions or concerns, contact eocevent206@cdc.gov with the subject line "Forrest City BOP."

By signing below, you are agreeing to participate in this project.

Printed name

Signature

Reg #

Date

30515-112-2
Gabriel Gonzalez
PO BOX 9000-Low
Federal Correctional Complex
Forrest CITY, AR 72336
United States

UNITED STATES DISTRICT COURT
312 N. SOWELL STREET
LITTLE ROCK, ARKANSAS
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CLERK, U.S. DISTRICT COURT

CENTRAL DISTRICT OF ARKANSAS

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